REMARKS

Claims 1-24 are pending in the present application. In the above amendments, claims 1, 7, 13 and 19 have been amended. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Interview Summary

Applicants' representative Raphael Freiwirth conducted a telephonic interview with Examiner Daftuar on June 12, 2006, as reported in the Interview Summary mailed June 21, 2006. During the interview, issues related to potential Double Patenting and suppression of silence frames in Yao et al. (U.S. Patent No. 6,785,262 B1) ("Yao") were discussed. Claim 1 was discussed regarding suppression of a silence frame and the Examiner explained that the meaning of suppression was similar to the term "drop" as found in col. 3, lines 5-58 of Yao.

35 U.S.C. 102 Rejection

Claims 1-24 are rejected under 35 U.S.C. 102 as being allegedly anticipated by Yao. Applicants respectfully traverse the rejection. As discussed in more detail below, Applicants believe that amendments to the independent claims have overcome the previous rejections.

The features of Applicants' amended claims 1, 7, 13 and 19 recite a method for **automatically** suppressing at least one silence frame from a stream of media. That is, silence frames are automatically suppressed regardless of the communication channel latency of a communication channel.

This is in contrast to Yao, which generally discusses dropping an entire data frame to alleviate the problem of communication channel latency of a communication channel. Col. 3, line 5 – Col. 5, line 40. In other words, complete data frames are dropped in a transmitter at a fixed, predetermined rate, Col. 3, lines 5-8, are dropped at different rates depending upon the

quality of the communication channel, Col. 3, line 38 – Col.4, line 35, or depending upon a queue threshold, Col. 4, lines 35-40. While some of these data frames may have no information in them, Yao discusses the general concept of producing and dropping a low rate frame which may have "little" information in it. Col. 8, line 62 – Col. 9, line 3. Therefore, Yao simply drops entire data frames when there is a problem of communication channel latency for a communication channel. Yao does not specifically automatically suppress silence frames regardless of the communication channel latency as claimed by the Applicants. Therefore Yao fails to teach or suggest at least the feature of automatically suppressing one or more silence frame.

Dependent Claims

Claims 2-13 and 16-31 depend directly or ultimately from, and include all the subject matter of, claims 1, 7, 13 and 19, and should be allowed for at least the same reasons presented above regarding the independent claims as well as the additionally recited features found in the claims.

Because independent claims 1, 7, 13 and 19 are believed to be allowable, Applicant has not argued or otherwise relied on independent patentability of dependent claims, but reserves the right to do so in this or any subsequent proceeding.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated   <u>August 11, 2006</u>   By: <u>/Raphael Freiwirth/</u>

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